IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4472 OF 2006

M/s.Gujarat Composite Limited & anr. Petitioners
vs.
The Union of India & ors. Respondents

Mr.V.Sridharan, Senior Counsel with Mr.Prakash Shah i/b.M/s.PDS Legal for the petitioners.

Mr.A.J.Rana, Senior Counsel with Mr.Presswala for the respondents.

CORAM : H.L.GOKHALE &
V.R.KINGAONKAR,JJ.

DATED : 26th July, 2006

P.C.

Heard Mr.Sridharan, the senior counsel with Mr.Shah, the counsel appearing for the petitioners and Mr.Rana, the senior counsel with Mr.Presswala appearing for the respondents.

2. Although the petitioners have various grievances with respect to the impugned order passed by the Settlement Commission dated 29th May, 2006, Mr.Sridharan states that the petitioners will be satisfied if the impugned order is interfered with for the simple reason that at the admission stage the application has been disposed of. Mr.Rana, the senior counsel appearing for the respondents has no objection to this course being adopted.

3. In the circumstances, we allow the petition and set aside the order dated 29th May, 2006 passed by the Settlement Commission and restore the settlement application to the file of the Settlement Commission with a direction that the Settlement Commission will decide the same on merits after examining it for admission and thereafter hearing the parties from both the sides.

4. We make it clear that we are not expressing anything one way or the other with respect to the contents of the impugned order.

5. Petition stands disposed of as above.

(H.L. GOKHALE, J.)

(V. R. KINGAONKAR,J.)